

**REPORT OF THE AUDIT OF THE
CALDWELL COUNTY
SHERIFF'S SETTLEMENT - 2003 TAXES**

April 21, 2004



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CRIT LUALLEN
AUDITOR OF PUBLIC ACCOUNTS

To the People of Kentucky
Honorable Ernie Fletcher, Governor
Robbie Rudolph, Secretary
Finance and Administration Cabinet
Honorable Van Knight, Caldwell County Judge/Executive
Honorable Stan Hudson, Caldwell County Sheriff
Members of the Caldwell County Fiscal Court

The enclosed report prepared by Percy & Gray, PSC, Certified Public Accountants, presents the Caldwell County Sheriff's Settlement - 2003 Taxes as of April 21, 2004.

We engaged Percy & Gray, PSC to perform the financial audit of this statement. We worked closely with the firm during our report review process; Percy & Gray, PSC evaluated the Caldwell County Sheriff's internal controls and compliance with applicable laws and regulations.

Respectfully submitted,

Crit Luallen
Auditor of Public Accounts

Enclosure



Kevin P. Percy, CPA

Linda Gray, CPA



**REPORT OF THE AUDIT OF THE
CALDWELL COUNTY
SHERIFF'S SETTLEMENT - 2003 TAXES**

April 21, 2004

EXECUTIVE SUMMARY
AUDIT EXAMINATION OF THE
CALDWELL COUNTY
SHERIFF'S SETTLEMENT - 2003 TAXES

April 21, 2004

Peercy and Gray, PSC, has completed the audit of the Sheriff's Settlement - 2003 Taxes for Caldwell County Sheriff as of April 21, 2004. We have issued an unqualified opinion on the financial statement taken as a whole. Based upon the audit work performed, the financial statement is presented fairly in all material respects.

Financial Condition:

The Sheriff collected taxes of \$2,695,901 for the districts for 2003 taxes, retaining commissions of \$99,484 to operate the Sheriff's office. The Sheriff distributed taxes of \$2,595,723 to the districts for 2003 Taxes. Taxes of \$95 are due to the districts from the Sheriff.

Report Comment:

- Lacks Adequate Segregation of Duties

Deposits:

The Sheriff's deposits were insured and collateralized by bank securities.

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Kevin P. Peercy, CPA

Linda Gray, CPA



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Independent Auditor's Report

We have audited the Caldwell County Sheriff's Settlement - 2003 Taxes as of April 21, 2004. This tax settlement is the responsibility of the Caldwell County Sheriff. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for Sheriff's Tax Settlements issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the Sheriff's office prepares the financial statement on a prescribed basis of accounting that demonstrates compliance with the modified cash basis, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the accompanying financial statement referred to above presents fairly, in all material respects, the Caldwell County Sheriff's taxes charged, credited, and paid as of April 21, 2004, in conformity with the modified cash basis of accounting.

In accordance with Government Auditing Standards, we have also issued our report dated October 14, 2004, on our consideration of the Sheriff's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grants. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be read in conjunction with this report in considering the results of our audit.

To the People of Kentucky
Honorable Ernie Fletcher, Governor
Robbie Rudolph, Secretary
Finance and Administration Cabinet
Honorable Van Knight, Caldwell County Judge/Executive
Honorable Stan Hudson, Caldwell County Sheriff
Members of the Caldwell County Fiscal Court

Based on the results of our audit, we present the accompanying comment and recommendation, included herein, which discusses the following report comment:

- Lacks Adequate Segregation Of Duties

Respectfully submitted,

A handwritten signature in cursive script that reads "Percy and Gray, PSC".

Percy and Gray, PSC

Audit fieldwork completed -
October 14, 2004

CALDWELL COUNTY
STAN HUDSON, COUNTY SHERIFF
SHERIFF'S SETTLEMENT - 2003 TAXES

April 21, 2004

<u>Charges</u>	<u>County Taxes</u>	<u>Special Taxing Districts</u>	<u>School Taxes</u>	<u>State Taxes</u>
Real Estate	\$ 283,518	\$ 414,559	\$ 1,018,351	\$ 387,881
Tangible Personal Property	46,935	59,548	143,665	169,509
Intangible Personal Property				27,285
Fire Protection	780			
Increases Through Exonerations	5	6	14	18
Omitted Taxes	432	611	1,494	623
Franchise Corporation	45,876	61,686	146,577	
Oil and Gas Property Taxes	176	251	630	238
Limestone, Sand, and Mineral Reserves	2,068	2,955	7,429	2,807
Penalties	2,550	3,690	9,090	3,672
Adjusted to Sheriff's Receipt	2	12		(2,097)
Gross Chargeable to Sheriff	<u>\$ 382,342</u>	<u>\$ 543,318</u>	<u>\$ 1,327,250</u>	<u>\$ 589,936</u>
<u>Credits</u>				
Exonerations	\$ 4,235	\$ 6,081	\$ 15,208	\$ 5,769
Discounts	4,898	6,995	17,113	9,013
Delinquents:				
Real Estate	4,466	6,515	16,015	6,051
Tangible Personal Property	32	52	50	129
Uncollected Franchise	8,281	10,550	25,492	
Total Credits	<u>\$ 21,912</u>	<u>\$ 30,193</u>	<u>\$ 73,878</u>	<u>\$ 20,962</u>
Taxes Collected	\$ 360,430	\$ 513,125	\$ 1,253,372	\$ 568,974
Less: Commissions *	<u>15,606</u>	<u>21,808</u>	<u>37,601</u>	<u>24,469</u>
Taxes Due	\$ 344,824	\$ 491,317	\$ 1,215,771	\$ 544,505
Taxes Paid	344,729	491,197	1,215,403	544,394
Refunds (Current and Prior Year)	<u>81</u>	<u>116</u>	<u>292</u>	<u>110</u>
Due Districts as of Completion of Fieldwork	<u>\$ 14</u>	<u>\$ 4</u>	<u>\$ 76</u>	<u>\$ 1</u>

* and ** See Next Page

The accompanying notes are an integral part of this financial statement.

CALDWELL COUNTY
STAN HUDSON, COUNTY SHERIFF
SHERIFF'S SETTLEMENT - 2003 TAXES
April 21, 2004
(Continued)

* Commissions:

10% on	\$	10,000
4.25% on	\$	1,432,525
3% on	\$	1,253,374

** Special Taxing Districts:

Library District	\$	1
Health District		1
Extension District		1
Hospital		<u>1</u>
Due Districts	\$	<u><u>4</u></u>

CALDWELL COUNTY
NOTES TO FINANCIAL STATEMENT

April 21, 2004

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

The Sheriff's office tax collection duties are limited to acting as an agent for assessed property owners and taxing districts. A fund is used to account for the collection and distribution of taxes. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

B. Basis of Accounting

The financial statement has been prepared on a modified cash basis of accounting. Basis of accounting refers to when charges, credits, and taxes paid are reported in the settlement statement. It relates to the timing of measurements regardless of the measurement focus.

Charges are sources of revenue which are recognized in the tax period in which they become available and measurable. Credits are reductions of revenue which are recognized when there is proper authorization. Taxes paid are uses of revenue which are recognized when distributions are made to the taxing districts and others.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the Sheriff's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

Note 2. Deposits

The Sheriff maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to KRS 66.480(1)(d) and KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the Sheriff and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. These requirements were met, and as of April 21, 2004, the Sheriff's deposits were fully insured or collateralized at a 100% level with collateral of pledged securities held by the Sheriff's agent in the Sheriff's name.

CALDWELL COUNTY
NOTES TO FINANCIAL STATEMENT
April 21, 2004
(Continued)

Note 3. Tax Collection Period

A. Property Taxes

The real and personal property tax assessments were levied as of January 1, 2003. Property taxes were billed to finance governmental services for the year ended June 30, 2004. Liens are effective when the tax bills become delinquent. The collection period for these assessments was September 30, 2003 through April 21, 2004.

B. Oil Taxes

The tangible property tax assessments were levied as of January 1, 2003. Property taxes are billed to finance governmental services for the year ended June 30, 2004. Liens are effective when the tax bills become delinquent. The collection period for these assessments was November 12, 2003 through February 29, 2004.

C. Limestone, Sand, and Gravel Reserve Taxes

The tangible property tax assessments were levied as of January 1, 2003. Property taxes are billed to finance governmental services for the year ended June 30, 2004. Liens are effective when the tax bills become delinquent. The collection period for these assessments was November 12, 2003 February 29, 2004.

Note 4. Interest Income

The Caldwell County Sheriff earned \$846 as interest income on 2003 taxes. The Sheriff distributed the appropriate amount to the school district as required by statute, and the remainder will be used to operate the Sheriff's office. As of October 14, 2004, the Sheriff owes \$25 in interest to the school district and \$26 in interest to his fee account.

Note 5. Sheriff's 10% Add-On Fee

The Caldwell County Sheriff collected \$14,591 of 10% add-on fees allowed by KRS 134.430(3). This amount will be used to operate the Sheriff's office.

Note 6. Advertising Fees

The Caldwell County Sheriff collected \$830 of advertising fees allowed by KRS 424.330(1) and KRS 134.440(2). The advertising fees will be used to operate the Sheriff's office. As of October 14, 2004, the Sheriff owes \$40 in advertising fees to his fee account.

COMMENT AND RECOMMENDATION

CALDWELL COUNTY
STAN HUDSON, COUNTY SHERIFF
COMMENT AND RECOMMENDATION

As of April 21, 2004

INTERNAL CONTROL – REPORTABLE CONDITION AND MATERIAL WEAKNESS:

Lacks Adequate Segregation of Duties

Due to the entity's diversity of official operations, small size and budget restrictions, the official has limited options for establishing an adequate segregation of duties. The Sheriff has primarily assigned one deputy to perform all of the accounting functions of the office. We recommend that the Sheriff periodically review this work in order to create compensating controls to offset this internal control weakness. Examples of compensating controls are: 1) comparing source documents to the receipts and disbursement ledgers and then to the monthly tax reports; 2) having bank deposits compared to the receipts ledger, and 3) comparing checks to monthly tax reports and claims before they are mailed.

Sheriff's Response

No response.

PRIOR YEAR:

The comment concerning lack of segregation of duties was included in the prior year audit report with the Sheriff's response being "We will comply"; however, there has been no change in the internal control structure.

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REPORT ON COMPLIANCE
AND ON INTERNAL CONTROL OVER FINANCIAL
REPORTING BASED ON AN AUDIT OF THE FINANCIAL STATEMENT
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

Kevin P. Peercy, CPA

Linda Gray, CPA



The Honorable Van Knight, Caldwell County Judge/Executive
Honorable Stan Hudson, Caldwell County Sheriff
Members of the Caldwell County Fiscal Court

Report On Compliance And On Internal Control
Over Financial Reporting Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards

We have audited the Caldwell County Sheriff's Settlement - 2003 Taxes as of April 21, 2004, and have issued our report thereon dated October 14, 2004. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the Caldwell County Sheriff's Settlement -2003 Taxes as of April 21, 2004 is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under Government Auditing Standards.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Caldwell County Sheriff's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statement and not to provide assurance on the internal control over financial reporting. However, we noted certain matters involving the internal control over financial reporting and its operation that we consider to be reportable conditions. Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of the internal control over financial reporting that, in our judgment, could adversely affect the entity's ability to record, process, summarize, and report financial data consistent with the assertions of management in the financial statement. A reportable condition is described in the accompanying comment and recommendation.

- Lacks Adequate Segregation of Duties

Report On Compliance And On Internal Control
Over Financial Reporting Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards
(Continued)

Internal Control Over Financial Reporting (Continued)

A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statement being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control that might be reportable conditions and, accordingly, would not necessarily disclose all reportable conditions that are also considered to be material weaknesses. However, we consider the reportable condition described above as a material weakness.

This report is intended solely for the information and use of management and is not intended to be and should not be used by anyone other than the specified parties.

Respectfully submitted,

A handwritten signature in cursive script that reads "Percy and Gray, PSC".

Peercy and Gray, PSC

Audit fieldwork completed -
October 14, 2004

